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ARTICLE I. Introduction

I.1. Overview

1.1.1. Pursuant to Illinois Public Act 98-0672, Section 1-56(i), signed into law on June 28, 2014, the Illinois Power Agency (“IPA”) held a public workshop on August 7, 2014 and posted its draft Supplemental Photovoltaic (“PV”) Procurement Plan for comments on September 29, 2014. Comments on the IPA’s draft Supplemental PV Procurement Plan were received on and before October 14, 2014 and the IPA filed its revised Supplemental PV Procurement Plan with the Illinois Commerce Commission (“Commission” or “ICC”) on October 28, 2014. The ICC issued an Order on January 21, 2015 substantially approving the IPA’s Supplemental PV Procurement Plan. For purposes of this document the “Procurement Plan” means the Supplemental PV Procurement Plan as amended by this ICC Order.

<https://www.icc.illinois.gov/downloads/public/edocket/398633.pdf>

1.1.2. As set forth in the Procurement Plan, the IPA is to procure renewable energy credits (“RECs”) from photovoltaic (“PV”) sources using \$30 million from the IPA’s Renewable Energy Resources Fund (“RER Fund”). These RECs will be procured from “new” distributed generation (“DG”) PV systems with the goal that, to the extent available, 50% of RECs be procured from systems under 25 kW. A “new” system is one that has been “energized” (turned on for a period of 24 consecutive hours) on or after January 21, 2015. A “distributed generation” system is limited in nameplate capacity to 2,000 kW, is located on the customer side of electric meter, and is interconnected at the distribution level of an electric utility, an alternative retail electric supplier, a municipal utility, or a rural electric cooperative. Terms that appear in bold underline in these RFP Rules are defined in the Glossary appended to these RFP Rules.

- I.1.3. The Procurement Plan schedules three (3) procurement events with a contingency plan for a fourth event if needed.
- I.1.4. The present document, in conjunction with all its appendices as described in more detail in Section I.4.1, constitutes the Request for Proposals (“RFP”) to solicit bids from suppliers. This RFP is referred to as the “Supplemental PV RFP” or the “SPV RFP”. The present document alone is referred to as the “RFP Rules”. The RFP Rules detail the qualification standards and bidding process.
- I.1.5. The IPA has retained NERA Economic Consulting (“NERA”) as the Procurement Administrator for the procurement event. The ICC has retained Boston Pacific Company, Inc. as the Procurement Monitor. The Procurement Monitor will report and monitor the progress of the procurement event for the ICC.
- I.1.6. A Proposal is a response to this RFP. Parties seeking to sell RECs to the IPA through this procurement event must submit a Proposal. A party that submits any part of a response to this RFP is a “Bidder”.
- I.1.7. A Proposal consists of two (2) parts. The first part of the Proposal (“**Part 1 Proposal**”) is the Bidder’s response to the qualification standards described in Article IV of these RFP Rules. The second part of the Proposal (“**Part 2 Proposal**”) includes the Bidder’s offers and financial support for these offers. The Part 2 Proposal is described in detail in Article V.
- I.1.8. Capitalized terms in this document are defined explicitly herein unless explicit reference is made to another document.

I.2. Products, Categories, and Bids

- I.2.1. This RFP solicits parties to deliver RECs to the IPA from new PV DG systems. Renewable energy credits from photovoltaic cells and panels are identified in the Act as Renewable Energy Resources and RECs from these systems will be termed “Photovoltaics” or “Solar” RECs. To be eligible for this RFP, RECs must be generated from DG PV systems energized on or after January 21, 2015.
- I.2.2. There are three (3) Products defined as follows: (i) RECs associated with systems below 25 kW in size (the “**Sub-25 Product**”); (ii) RECs associated with systems 25 kW or over but no larger than 500 kW in size (the “**25-500 Product**”); and (iii) RECs associated with systems over 500 kW but no larger than 2,000 kW (the “**Over-500 Product**”). These three (3) Products are grouped in two (2) Categories of systems. The Sub-25 Product corresponds to systems under 25 kW, which are systems in the “**Sub-25 Category**”. The 25-500 Product and the Over-500 Product together correspond to systems 25 kW or over (but no more than 2,000 kW), which are systems in the “**25-Plus Category**”.
- I.2.3. The IPA will hold three (3) procurement events and may hold a fourth procurement event should funds remain available. The available funds as well as the Products or Categories procured for each of the three (3) planned procurement events are provided in the table below. The first two (2) procurement events were held as scheduled. This third procurement event procures RECs in two (2) Categories.

Table I-1. Procurement Event Schedule.

Date	Budget	Products or Categories Procured
June 2015	\$5,000,000	Sub-25 Product 25-500 Product
November 2015	\$10,000,000	Sub-25 Product 25-500 Product Over-500 Product
March 2016	\$15,000,000	RECs from the Sub-25 Category RECs from the 25-Plus Category

- I.2.4. Each Bidder may submit a single Proposal. Each Bidder may submit a Proposal from systems from any and all Categories and may bid on any and all Categories. All such systems and Bids are part of a single Proposal.
- I.2.5. A Bidder that intends to supply RECs associated with systems in the 25-Plus Category must identify each such system by providing the information required under the qualification standards. In particular, such Bidder will provide the location of the system (or system site), will identify the owner of the system, and will identify the owner of the system site. A Bidder that intends to supply RECs associated with systems in the Sub-25 Category may also, but is not required to, identify each such system by providing the information required under the qualification standards. If such Bidder intends to bid a quantity of RECs that are not associated with identified systems, this quantity will be called a “**forecast quantity**”. In the Plan, the forecast quantity is referred to as a “speculative bid”.
- I.2.6. For the 25-Plus Category, a “Bid” is a price per REC for a given identified system. A Bidder must present Bids for a number of identified systems to account for at least 500 RECs.

- 1.2.7. For the Sub-25 Category, a “Bid” is a price per REC for a quantity of no fewer than 500 RECs; such RECs may be associated with identified systems, with a forecast quantity, or both.
- 1.2.8. Bidders will be required to provide a deposit prior to submitting their Bids. The deposit required with the Proposal for an identified system in any Category is \$4/REC. The deposit required with the Proposal for a forecast quantity in the Sub-25 Category is \$8/REC. Bidders that do not win may request that this deposit be refunded. Bidders that do win and have Bids approved by the Commission execute the IPA’s Renewable Energy Credits Purchase and Sale Agreement (the “SPV Contract”). Under the SPV Contract, performance assurance is \$8/REC for identified systems and \$16/REC for forecast quantities. A Bidder may use its deposit required with the Proposal toward performance assurance. For a given system, the deposit is refunded along with payments for the first REC delivery.
- 1.2.9. For RECs associated with identified systems, winning Bidders must demonstrate to the IPA within twelve (12) months of the Bid Date that the systems bid have been completed, energized, and registered in an applicable tracking system to deliver RECs to the IPA. A Bidder may request a six-month extension upon demonstration of project delays that do not otherwise jeopardize the successful completion of the project. Such extensions may be granted at the IPA’s discretion. If a system is not completed, energized, and registered within the required timeframe, the contract for the RECs associated with the system will be void and the Bidder’s performance assurance will be forfeited.
- 1.2.10. For RECs associated with a forecast quantity, a winning Bidder has six (6) months after the procurement event to identify the system to the IPA by providing all required information. Such winning Bidder may request an

extension of up to three (3) months, which may be granted by the IPA. Such winning Bidder has twelve (12) months from the date of identification of the system to demonstrate to the IPA that the system has been completed, energized, and registered in an applicable tracking system to deliver RECs to the IPA.

I.2.11. For this procurement event, the cost of procuring RECs over the five (5) years of the SPV Contract will not exceed a budget of \$15 million. The cost of procuring the RECs across all three (3) procurement events will not exceed a budget of \$30 million. Should sufficient funds remain available at the completion of the three (3) planned procurement events, a fourth procurement event may be held.

I.2.12. Confidential benchmarks are established for each Product. The evaluation of Bids first eliminates Bids that fail to meet or beat the benchmarks. Second, Bids are ranked by order of price until all Bids are selected or until the budget is exhausted. If that step ends because the budget was exhausted, in a next step, the lowest priced systems that have not yet been selected for a Category replace the highest priced systems in another Category as needed to reach the objective of having 50% of the RECs selected from systems in the Sub-25 Category and 50% of the RECs selected from systems in the 25-Plus Category.

I.3. Submission of Proposals

I.3.1. Bidders use the online Part 1 Form to submit information and to upload required documents to respond to the qualification standards described in Article IV of these RFP Rules. Bidders may also provide required documents by email to the Procurement Administrator. The Part 1 Form as well as the Inserts to the Part 1 Form are available electronically on the procurement website, www.IPA-energyrfp.com, or are available from the Procurement Administrator.

An “**Insert**” is a separate form to be filled out and uploaded to the online form or emailed to the Procurement Administrator.

I.3.2. The Part 1 Proposal for a Bidder consists of the completed online Part 1 Form as well as one (1) copy of all documents required by the Part 1 Form.

I.3.3. Bidders use the online Part 2 Form to submit information and documents in response to the Part 2 Proposal requirements described in Article V of these RFP Rules. A Bidder submits a refundable deposit of \$8/REC of any forecast quantity (i.e., associated with systems below 25 kW that are not yet identified) and \$4/REC of the quantity associated with identified systems. The Procurement Administrator will provide a Bid Form in Microsoft Excel format to be used by the Bidder for purposes of submitting Bids.

I.3.4. The Part 2 Proposal consists of the completed online Part 2 Form, deposit, the Bid Form, and all other documents necessary to fulfill the Part 2 Proposal requirements.

I.3.5. A schedule for this RFP is provided in Table II-1. Any updates will be provided on the procurement website www.IPA-energyrfp.com. Part 1 Proposals are received and processed during a specific timeframe, the “**Part 1 Window**”. The last day of the Part 1 Window is called the “**Part 1 Date**”. All materials for the Part 1 Proposals must be received by 12 PM (noon) on the Part 1 Date. All times in this RFP are Central Prevailing Times (“CPT”) unless specifically noted.

I.3.6. Part 2 Proposals are received and processed during a specific timeframe, the “**Part 2 Window**”. The last day of the Part 2 Window is called the “**Part 2 Date**”. All materials for the Part 2 Proposals, except the Bidder’s Bids, must be received by 12 PM (noon) on the Part 2 Date.

I.3.7. The day Bids are due is called the “**Bid Date**”. The Bidder’s Bids must be received between 8 AM and 12 PM (noon) on the Bid Date. After a one-hour

cure period during which Bidders may correct errors or inconsistencies, Bidders have no further ability to change their Bids. The “**Bid Window**” is then closed and Bids are evaluated. The Procurement Administrator evaluates Bids submitted in accordance with this RFP for each Bidder that qualifies pursuant to a successful Part 1 Proposal and that submits a Part 2 Proposal that fulfills all the requirements of Article V by 12 PM (noon) on the Bid Date.

- I.3.8. The Act calls for the Procurement Administrator to notify potential bidders that the Procurement Administrator *may* enter into post-bid price negotiations. However, the Supplemental PV Procurement Plan as approved by the Commission specifies that no such post-bid negotiations *will* occur.
- I.3.9. Within two (2) business days of the Bid Date, the Procurement Administrator will submit to the Commission a confidential report that will provide the results of the bidding. Within two (2) business days of the Bid Date, the Procurement Monitor will submit to the ICC a confidential report regarding the results of the bidding. The Commission will decide whether to accept or reject the results of each procurement event within two (2) business days of receiving the confidential reports from both the Procurement Administrator and the Procurement Monitor.
- I.3.10. If the ICC approves the results of the procurement event, each Bidder with approved Bids will execute the IPA’s Renewable Energy Credits Purchase and Sale Agreement with certain specific terms (the “SPV Contract”) within three (3) business days of the ICC decision.
- I.3.11. If the ICC rejects the results of the procurement event, the IPA will not enter into contracts with Bidders, and a fourth procurement event may be held that will include the unused funds.

I.4. Seller Obligations

- I.4.1. There is a standard supplier contract for the procurement events. The supplier contract for the procurement event is entitled the REC Purchase and Sale Agreement and is referred to as the SPV Contract.
- I.4.2. The results of each procurement event are subject to approval by the ICC. If the ICC approves the results of the procurement event, the IPA and each Bidder with approved Bids will execute the SPV Contract within three (3) business days of the ICC decision and the Bidder will become a “Seller” under the SPV Contract. The Seller will provide the additional deposit associated with its approved Bids.
- I.4.3. This section describes in general terms a few key provisions of the SPV Contract. This is a summary only and is subject to and qualified in its entirety by the SPV Contract provided as Appendix 1 to these RFP Rules. A Bidder that submits Bids must accept the obligations and associated rights to provide RECs as set forth in the SPV Contract.
- I.4.4. An SPV Contract is entered into for each identified system or for a number of RECs bid as a forecast quantity at a given price.
- I.4.5. Under the SPV Contract, for an identified system, the Seller must install, energize and register the system with PJM-EIS GATS or M-RETS within 12 months of the Bid Date.
- I.4.6. For a number of RECs bid as a forecast quantity, the Seller must identify systems: (i) no earlier than twenty (20) business days after the Bid Date or the first day of the quarter following the Bid Date, whichever comes last; and (ii) no later than six (6) months of the Bid Date. For each such newly identified system, the Seller must enter into a separate SPV Contract. The Seller must then install,

- energize, and register the newly identified system with PJM-EIS GATS or M-RETS within twelve (12) months of the system being identified.
- I.4.7. Under the SPV Contract, the system must be a “Distributed Renewable Energy Generation Device” as defined in the Illinois Power Agency Act (20 ILCS 3855/1-10) and must be “installed” by a “qualified person” as described in and required by Section 1-56(i) of the Illinois Power Agency Act (20 ILCS 3855/1-56(i)).
- I.4.8. Within twenty (20) business days of the system being installed, energized, and registered with PJM-EIS GATS or M-RETS (or within twenty (20) business days of the Bid Date if the system is energized prior to the Bid Date), the Seller is required to submit to the IPA a System Energized Notification Form, which is attached as Exhibit C to the Cover Sheet of the SPV Contract. The System Energized Notification Form must be submitted by the Seller and accepted by the IPA prior to the Seller’s first delivery of RECs to the IPA’s PJM-EIS GATS or M-RETS account.
- I.4.9. The Seller is required to deliver all RECs from the system to the IPA during a five-year delivery term up to the Maximum Contract Quantity. The Maximum Contract Quantity is equal to the product of: (a) the planned installed size of the system in kW divided by 1,000, (b) a capacity factor of 14.38%, (c) 8760 hours, and (d) 5 years.
- I.4.10. The IPA, the “Buyer”, may, but is not required to, offer to purchase, RECs from the system in excess of the Maximum Contract Quantity. The Seller may, but is not required to, sell to the Buyer RECs in excess of the Maximum Contract Quantity at the winning bid price for the system.
- I.4.11. The Buyer can only make payments for RECs that are delivered to the Buyer’s PJM-EIS GATS or M-RETS account and for which an invoice is received. The Seller must invoice the IPA on a quarterly basis for RECs delivered.

I.5. Summary of RFP Documents

I.5.1. The following documents are appended to the RFP Rules, and shall be considered an integral part of this RFP:

Appendix 1:	SPV Contract
Appendix 2:	Part 1 Form
Appendix 3:	Part 2 Form
Appendix 4:	Bid Form
Appendix 5:	Evaluation of Bids
Appendix 6:	Standard Pre-Bid Letter of Credit
Appendix 7:	Confidentiality Statement
Appendix 8:	Glossary of Terms

ARTICLE II. Information and Schedule

II.1. RFP Website

II.1.1. The Procurement Administrator has established a procurement website that is the main source of information for this RFP. Bidders and other stakeholders can visit this procurement website to obtain information and documents related to the procurement events. The procurement website address is www.IPA-energyrfp.com. Information relevant to the SPV RFP can be found on the Supplemental PV Procurement Section of the procurement website.

II.1.2. More generally, the procurement website contains the sections described below. New sections may be added as necessary to assist Bidders.

Home: This section provides recent announcements and a brief description of the products to be procured.

Announcements: This section provides announcements such as reminders about deadlines and posting of documents.

Standard Products Section: This section provides documents related to the procurement of block energy and other standard products for the portfolios of Ameren Illinois Company d/b/a Ameren Illinois (“Ameren” or “AIC”), Commonwealth Edison Company (“ComEd”), and MidAmerican Energy Company (“MidAmerican”).

Renewable Energy Resources Section: This section provides documents related to the procurement of RECs for the AIC, ComEd, and MidAmerican portfolios.

Supplemental PV Procurement Section: This section provides documents related to the supplemental procurement of solar photovoltaic RECs for the IPA.

Calendar: This section provides a schedule for the current procurement events.

Ask a Question: In this section, interested parties, including Bidders, are able to ask questions of the Procurement Administrator via a web form.

Register: This section gives an opportunity for interested parties to register their email address to receive announcements regarding the procurement events.

FAQs: The Procurement Administrator answers questions from interested parties via email. The questions and answers are posted in this section so that all interested parties have access to the same information. Aspects of the question and/or answer that might identify the questioner are removed before posting to the extent practicable.

Related Links: This section includes links to websites of potential interest.

Previous RFPs: The Procurement Administrator provides in this section links to websites with information from previous RFPs for AIC and ComEd.

Qualification Form: Bidders use this link and their login credentials to access the online Part 1 and Part 2 Forms where they submit information and upload required documents to respond to the requirements of this RFP.

II.2. RFP Schedule

II.2.1. The following is the schedule for this procurement event. Specific times for submission of materials for the Part 1 Proposals and Part 2 Proposals are provided elsewhere in this RFP. All such times are Central Prevailing Time unless specifically noted. The close of the business day will be 6 PM for purposes of processing Proposals. Unless otherwise specified, any reference to “day” shall mean a business day. Any changes to this schedule will be provided on the procurement website.

Spring 2016 Procurement Events (SPV RFP)
DRAFT 12 February 2016

Table II-1. RFP Schedule

Event	Date
IPA submits Supplemental Photovoltaic Procurement Plan	Tuesday, October 28, 2014
Commission Order regarding the Procurement Plan	Wednesday, January 21, 2015
Draft REC Purchase and Sale Agreement posted	Thursday, January 28, 2016 Monday, February 01, 2016 (revised)
Invitation issued to comment on Draft REC Purchase and Sale Agreement	Monday, February 01, 2016
Draft RFP Documents posted	Friday, February 12, 2016
Deadline to submit comments on Draft REC Purchase and Sale Agreement	Wednesday, February 10, 2016
Final REC Purchase and Sale Agreement posted	Monday, February 22, 2016
Final RFP Documents posted	Tuesday, February 23, 2016
Webcast	Wednesday, February 24, 2016
Opening of Part 1 Window	Thursday, February 25, 2016
Part 1 Date (Part 1 Proposals are due)	Thursday, March 10, 2016
Part 1 Notification	Wednesday, March 16, 2016
Opening of Part 2 Window	Thursday, March 17, 2016
Part 2 Date (Part 2 Proposals except Bids are due)	Wednesday, March 23, 2016
Bidder Training	Friday, March 25, 2016
Bid Date (Bids are Due)	Thursday, March 31, 2016
Procurement Administrator submits confidential report on results of procurement event	Monday, April 04, 2016
ICC renders decision on results of procurement event	Wednesday, April 06, 2016

other than entities that are Bidders, against any and all liens, judgments, liabilities, losses, injuries, damages, fees, fines, costs or expenses which in any manner relate to, arise out of, or result from any false statement or misrepresentation in the Proposal or breach of any warranty by the Bidder as set forth herein.

ILLUSTRATIVE

ARTICLE IV. Part 1 Proposal Requirements

Terms that appear in **bold underline** in these RFP Rules are defined in the Glossary of Terms provided as Appendix 8 to these RFP Rules.

A Bidder that successfully completed the Part 1 Proposal in a previous procurement event under the SPV RFP is said to have “**previously qualified**”. Such a Bidder is generally able to confirm information provided in a previous Part 1 Proposal and that remains valid. A Bidder that presents, as part of its Part 1 Proposal, a system for which documentation has been submitted to the Procurement Administrator in a previous procurement event under the SPV RFP or the DG RFP is able to rely on the documentation provided in a prior Proposal and that remains valid. Such a system is said to have been “**previously presented**”. To rely on such a system’s previously submitted documentation, the Bidder must provide both the most recent procurement event in which the system was submitted as well as the unique identifier provided for that system (used in the bid forms for the procurement events).

IV.1. Contact Information

IV.1.1. **Contact Information for the Bidder.** A “**Bidder**” is a party that submits any part of a response to this RFP. A Bidder must provide with its Part 1 Proposal the Bidder’s legal name and address (including street address, city, state, and zip code).

- A Bidder that has not previously qualified must submit this information.
- A previously qualified Bidder must update this information as necessary.
- A previously qualified Bidder that updates the Bidder’s legal name will be asked to contact the Procurement Administrator. The Bidder may be

required to complete the Name Change Insert prepared for this purpose by the Procurement Administrator.

- IV.1.2. Representatives. The Bidder must identify the individual or individuals responsible for submission of the Proposal and provide full contact information for each individual, including address, phone number(s), and email address. These individuals, each a **Representative of the Bidder or “Representative”** must be authorized to act on behalf of the Bidder. The Procurement Administrator sends all correspondence related to the procurement events to the Representatives, including confidential information required to submit Bids on the Bid Date. The Part 1 Form will provide for naming one (1) Representative. A Bidder that has not previously qualified must submit contact information for this Representative. A previously qualified Bidder must update this information as necessary. Up to three (3) additional Representatives may be named by fully completing the Representative Insert prepared for this purpose and available on the procurement website. The Representative Insert is also labelled INSERT #P1-1. The Bidder, whether previously qualified or not, provides the Representative Insert by email or by upload to the application website.
- IV.1.3. Role. The Bidder is asked to describe its role in the development and operation of the systems presented as part of the Proposal. The Bidder may serve, among other roles, as a System Owner, a developer, an Aggregator, as an agent for a System Owner, or in some other capacity. A Bidder may select more than one role. If the Bidder’s role is not adequately described by the categories presented, the Bidder provides a short description of its role.

IV.1.4. All information in this Article IV must be provided exclusively by completing Section 1 of the Part 1 Form and by providing any documents required by Section 1, as further explained in Article VI.

IV.2. Identified Systems

IV.2.1. The requirements of this section apply to Bidders whose Proposal includes “**identified systems**”, whether such Bidders are previously qualified or not. All Bidders whose Proposal includes systems in the 25-Plus Category must provide the information required by this section for each such system presented as part of the Proposal. Bidders whose Proposal includes systems in the Sub-25 Category that are identified as of the opening of the Part 1 Window must provide the information required by this section for each such system presented as part of the Proposal. Only Bidders whose Proposal consists solely of a forecast quantity of RECs from systems in the Sub-25 Category that are not yet identified as of the opening of the Part 1 Window are exempt from the requirements of this section.

IV.2.2. System Characteristics. The information required by this paragraph must be provided separately and completely for each identified system. Unless explicitly noted, all information is required, whether or not a system has been previously presented. For each system:

- a) The Bidder may, but is not required to, provide a name for the system. The system will also be tagged with a unique identifier using the Bidder name and a number;
- b) The “**size**” of the system, which is the final nameplate DC output rating, expressed in kilowatts, rounded to two (2) decimals. Each system must be

no more than 2,000 kW in size. All systems in the 25-Plus Category presented in this Proposal must together have a capacity of no less than 79.39 kW (corresponding to a minimum bid of 500 RECs). All systems in the Sub-25 Category identified and presented in this Proposal must together have a capacity of no less than 79.39 kW; if the aggregate capacity of systems in the Sub-25 Category is less than 79.39 kW, then the Bidder must also offer a forecast quantity of RECs as explained in the next section;

- c) Contact information for the “**System Owner**”, which is the individual or company that owns or will own the system. The Bidder may be, but is not required to be, the System Owner. The contact information for the System Owner must include the name, telephone number; and an email address. If the System Owner is a company, the Bidder must provide the name of a representative and the title of such representative;
- d) The location of the system or system site, including street address, city, state, and zip code. The system must be located in Illinois;
- e) The name and contact information for the “**Host**”, namely the individual or entity that owns or controls the site where the system is installed or will be installed. The Host may be, but is not required to be, the same individual or company as the System Owner. Contact information for the Host must include a telephone number and an email address. If the Host is a company, the Bidder must provide the name of a representative and the title of such representative;
- f) The name of the “**interconnecting distribution company**”. The system must be interconnected at the distribution system level of an electric utility, an alternative retail electric supplier, a municipal utility, or a rural electric cooperative located in Illinois;

- g) The account number for the “**Customer**”. Systems for which Bids are submitted under this RFP must be behind the meter of a Customer of an electric utility, an alternative retail electric supplier, a municipal utility, or a rural electric cooperative located within Illinois;
- h) The date at which the system has been energized or is expected to be energized (“**Energized Date**”). Such date must be on or after January 21, 2015 but no later than twelve (12) months after the Bid Date. If this date is not known, the Bidder must enter March 31, 2017, which is twelve (12) months after the Bid Date;
- i) The tracking system that will account or that is expected to account for RECs produced by the system and from which RECs from the system would be transferred to the IPA. The Bidder must select either PJM EIS GATS or M-RETS;
- j) The name of the “**Seller**”, namely the individual or entity that will be the counterparty under the SPV Contract and that will provide RECs from one or more systems to the IPA. Contact information for the Seller must include a telephone number and an email address. If the Seller is a company, the Bidder must provide the name of a representative and the title of such representative;
- k) The Bidder may, but is not required to, indicate whether the system has been “**previously presented**”. A system has been previously presented when:
- (i) documentation in regards to this system has been submitted to the Procurement Administrator in a previous procurement event under the SPV RFP or the DG RFP;
 - (ii) such system was not identified as part of a winning Bid in a previous procurement event under the SPV RFP or the DG RFP; and
 - (iii) the Bidder certifies that the previously submitted documentation remains

valid and that there have been no changes in the identities of the System Owner, Seller, and Host for the system. No system identified as part of a winning Bid in a previous procurement event under the SPV RFP or the DG RFP can be presented as part of the Bidder's Proposal under this SPV RFP. A Bidder that indicates that a system has been previously presented and certifies that the previously submitted documents remains valid is able to rely on such documentation provided if the Bidder can provide the system's unique identifier as assigned by the Procurement Administrator in the previous procurement event (and used in the Bid Form for that procurement event to identify the system). If the Bidder is unable to provide the unique identifier associated with the system then the Bidder will only be able to rely on previously provided documentation to the extent that the Procurement Administrator can uniquely match the system to one in the database of systems that were reviewed in previous procurement events.

The Bidder provides such information for each system. A Bidder that is not able to provide all requested information for a system may justify any such omissions in the space provided for this purpose. There is no requirement for the information regarding the System Owner, the Host, or the Seller to be same for all systems. The Bidder provides such information by filling out the Worksheet Insert prepared for this purpose. The Bidder justifies any omission or provides an explanation for missing information in the space provided for this purpose. The Worksheet Insert is also labelled INSERT #P1-2. The Bidder provides the Worksheet Insert by email or by upload to the application website.

IV.2.3. Documentation for System Characteristics. The Bidder must provide the following additional information or documents in support of the characteristics of each system presented in the Proposal. Some of these items are only required

use the Form of Letter of Credit provided as Appendix 2 to the SPV Contract (also called the “Standard Post-Bid Letter of Credit”). A Bidder may, in its Part 1 Proposal, provide comments on or propose modifications to: (i) the Standard Pre-Bid Letter of Credit; and (ii) the Standard Post-Bid Letter of Credit. Any comment or proposed modification should be non-material in nature or be to the mutual benefit of the Bidder and the IPA. Any comment or proposed modification that is accepted for the benefit of one Bidder will be made available all Bidders and Sellers on an optional basis. A Bidder provides comments or proposes modifications exclusively by submitting a redline of the of the standard form in Microsoft Word format. Only one (1) such redline may be submitted for the Pre-Bid Letter of Credit and only one (1) such redline may be submitted for the Post-Bid Letter of Credit. A Bidder provides any such comments or proposed modifications by email or by upload to the application website.

IV.4.4. A Bidder provides information required in this section by completing Section 4 of the Part 1 Form and by providing any documents required by Section 4, as further explained in Article VI.

ARTICLE V. Part 2 Proposal Requirements

Requirements of the Part 2 Proposal apply to all Bidders, whether previously qualified or not.

V.1. Contact Information

V.1.1. Updates to Contact Information. A Bidder submits, in the online Part 1 Form, the Bidder’s name and address as well as contact information for individuals responsible for the submission of the Proposal. The online Part 2 Form will display the information that the Bidder provided in the online Part 1 Form in this regard. The Bidder must review this information. If this information is no

V.4. Information to Prepare the SPV Contract

V.4.1. IRS Form W-9 and Tax Identification Number Form. A Seller that does not have an SPV Contract with the IPA must provide both: (i) a duly completed IRS Form W-9; and (ii) a duly completed Tax Identification Number Form provided as Appendix 1.5 to the SPV Contract. The December 2014 version of the IRS Form W-9 must be used. If the Bidder is presenting a Proposal with multiple Sellers, each such Seller must provide the duly completed forms. Instructions are provided on the application website to combine all such completed forms into a single file. The Bidder provides all completed forms by email or by upload to the application website.

V.4.2. Other information to prepare the SPV Contract. A Seller is asked to provide all information necessary for the preparation of the SPV Contract. The SPV Contract is prepared by the IPA after the Procurement Administrator notifies the Bidder that a Seller has Bids that are identified as winning Bids to the ICC. A Bidder provides this information by fully completing the Contract Insert prepared for this purpose and available on the procurement website. The Contract Insert is also labelled INSERT #P2-3. The Bidder provides the Contract Insert by email or by upload to the application website. If a Bidder fails to submit the information required by this paragraph with the Part 2 Proposal, the Procurement Administrator will require the information to be provided by 12 PM (noon) on the day after the Bidder is notified that it has Bids identified as winning Bids to the Commission.

V.4.3. A Bidder provides information required in this section by completing Section 4 of the Part 2 Form and by providing any documents required by Section 4, as further explained in Article VI.

V.5. Bids

V.5.1. General. A **“Bid”** is a price per REC rounded to the nearest cent. A Bid is provided for a given identified system or for a forecast quantity (of systems not yet identified) as further described below. A Bid that is not expressed in dollars and cents will automatically be rejected.

V.5.2. Bids for the Sub-25 Category. A Bid is a price per REC for a quantity RECs associated with identified systems, associated with a forecast quantity, or both.

- The quantity of RECs associated with a given Bid (i.e., associated with a given price) must be no fewer than 500 RECs.
- Each identified system has a single Bid price.
- There may be more than one Bid price, each associated with no fewer than 500 RECs.

V.5.3. Bids for the 25-Plus Category. A Bid is a price per REC for a given identified system.

- A Bidder must present Bids for a number of identified systems to account for at least 500 RECs in this Category.
- Each identified system has a single Bid price.
- A different Bid price may be submitted for each identified system.

V.5.4. The Bidder may not submit any additional instructions, contingencies, or conditions on their Bids. Any such additional instructions, contingencies, or conditions will be ignored.

V.5.5. To be sufficient to support the Bids in the procurement event, the bid assurance collateral must be in an amount no less than \$8 per REC of any forecast quantity and \$4 per REC associated with an identified system. If the bid assurance collateral is insufficient, and the Bidder does not increase the bid assurance collateral prior to 12 PM (noon) on the Bid Date, the Procurement Administrator

- V.5.12. The Bidder must be available between 12 PM (noon) and 1 PM on the Bid Date to receive the assessment of whether the Bid Form is complete and consistent with the RFP Rules, including whether the bid assurance collateral is sufficient to support the Bidder's Bids. The Procurement Administrator will at that time contact the Bidder by phone to provide this assessment. The Procurement Administrator may contact the Bidder earlier than 12 PM (noon) on the Bid Date.
- V.5.13. If the Bid Form is deficient, the Bidder will have an opportunity to resubmit and any such resubmission will supersede all previously submitted Bid Forms as long as the resubmission is received prior to 1 PM on the Bid Date. If the Procurement Administrator is unable to contact the Bidder, the Procurement Administrator will send a notification by email to the Bidder stating this fact.

a project and such information and documents have been determined to be complete and to satisfy the requirements, the project is marked as “**done**”. Otherwise, the project is marked as “**in progress**.” Once a project is marked as done, and the Bidder is notified of that fact, the Bidder may not change the information or documentation with respect to that project. If the information or documents for the project are no longer valid, the project must be withdrawn from the Proposal.

VI.1.10. A Bidder is qualified pursuant to a successful Part 1 Proposal if its Part 1 Proposal is received on or before 12 PM (noon) on the Part 1 Date, if its Part 1 Proposal is complete, and if its Part 1 Proposal fully complies with the qualification standards of Article IV of these RFP Rules, including any requests for additional information from the Procurement Administrator. A Bidder may qualify pursuant to a successful Part 1 Proposal but only with respect to a subset of the projects initially presented with the Proposal. If a Bidder receives a notice from the Procurement Administrator that the Part 1 Proposal is deficient or requires clarification, and if the Bidder does not respond by the time required in the notice, the Bidder may not be qualified.

VI.1.11. The Procurement Administrator notifies each Bidder whether it has qualified pursuant to a successful Part 1 Proposal generally within five (5) business days of the Part 1 Date. If a Bidder fails to qualify, the Procurement Administrator notifies the Bidder of that fact by email. If a Bidder qualifies pursuant to a successful Part 1 Proposal, the Procurement Administrator transmits to the Bidder, using a secure file transfer interface, a Part 1 Notification as well as some documents necessary for the Bidder’s continued participation in the RFP. These documents, provided electronically, are: (i) the Trial Bid Form; (ii) instructions for completing, encrypting, and submitting Bid Forms; (iii) an invitation to a

training session on the bid submission procedure with confidential information for submission of the Trial Bid Form, including a username, a password, and a security code unique to that Bidder; and (iv) instructions for the submission of bid assurance collateral.

VI.1.12. Except for the submission of Bids, the exclusive method of responding to the requirements listed in Article V of these RFP Rules is the use of the online Part 2 Form together with the use of Inserts to the Part 2 Form available as separate forms on the procurement website or from the Procurement Administrator. The bid assurance collateral must be sent according to the instructions provided to the Bidder by the Procurement Administrator or the Illinois Power Agency. Other documents (supporting documents and Inserts) may be uploaded to the application website or sent to the Procurement Administrator via email.

VI.1.13. The Trial Bid Form provided to each Bidder upon qualification is used for the training session. A sample of the Trial Bid Form is provided for illustrative purposes as Appendix 4 of these RFP Rules. The Bid Form, which is the exclusive method for the submission of Bids, is provided to each Bidder no later than two (2) business days before the Bid Date through a secure file transfer interface. The instructions guide for completion of the Bid Form provided to Bidders with the Part 1 Notification can be used both for training for purposes and for submission of Bids on the Bid Date; the Procurement Administrator may provide with the Bid Form an update to the instructions guide as needed.

VI.1.14. A Bidder must submit its Part 2 Proposal, excluding Bids, to the Procurement Administrator by 12 PM (noon) on the Part 2 Date. A Bidder must submit its Bids between 8 AM and 12 PM (noon) on the Bid Date. The Bid Form must be filled out completely and transferred in accordance to the instructions provided by the Procurement Administrator and in accordance with the requirements of

VI.2. Bid and Post-Bid Process

VI.2.1. A Bidder submits its Bids electronically according to the instructions from the Procurement Administrator and the requirements of this RFP. A Bidder is instructed to transfer its Bid Form through a secure file transfer interface. The Bidder must use a username and a password provided by the Procurement Administrator to access the secure file transfer interface. The Bidder may use a security code provided by the Procurement Administrator to encrypt the file. If the Bidder does not encrypt the Bid Form, the Bidder will be required to provide the security code by phone.

VI.2.2. A Bidder that must resort to submitting its Bid Form by email because of technical difficulties must follow the instructions provided by the Procurement Administrator for this contingency. These instructions will specify that the Bidder must phone the Procurement Administrator to advise the Procurement Administrator of the use of email transmission and to provide authenticating information. The Procurement Administrator will recommend that the Bid Form be encrypted using the security code unique to the RFP Bidder. The Procurement Administrator will note for the RFP Bidder that without encryption such transmission may not be secure.

VI.2.3. All Bid Forms must be received between 8 AM and 12 PM (noon) on the Bid Date. All times in this RFP are Central Prevailing Times unless specifically noted. No late Bid Forms will be considered regardless of the method used by the Bidder to submit its Bid Form.

VI.2.4. A Bidder must phone the Procurement Administrator once it has transmitted its Bid Form according to the instructions provided with the Part 1 Notification. If the Bid Form was not received and there are technical difficulties, the Procurement Administrator will instruct the Bidder to use a backup method and

VI.2.16. The Procurement Administrator will contact the representatives of each Bidder with Bids identified by the Procurement Administrator as winning Bids to the ICC to ensure that the contact information of such representatives remains correct and up-to-date. If the Procurement Administrator notifies a Bidder that the Bidder has Bids that the Procurement Administrator identifies as winning Bids, and if the Bidder did not fully complete the Contract Insert, the Bidder will be required to provide all information required by the Contract Insert promptly after such notification occurs. The IPA prepares the supplier contract documents.

VI.2.17. If the ICC accepts the results of a procurement event, the Procurement Administrator will notify all Bidders that submitted Bids whether some or all of their Bids were accepted by the ICC. Bidders that have some or all of their Bids approved by the ICC are called winning Bidders for the procurement event.

VI.2.18. At the time of ICC approval of a procurement event, the names of winning Bidders and the average of the winning bid prices are made public. The Act states that participants in the procurement process will maintain the confidentiality of all other supplier and bidding information.

VI.3. Personnel and Confidentiality

VI.3.1. Any information provided by a Bidder in its Part 1 Proposal is provided on a confidential basis to the Procurement Administrator, and may be provided on a confidential basis to the Procurement Monitor, to the IPA, or to ICC Staff.

VI.3.2. Any information provided by a Bidder in its Part 2 Proposal is provided on a confidential basis to the Procurement Administrator, and may be provided on a confidential basis to the Procurement Monitor, to the IPA, or to the ICC Staff.

ARTICLE VII. Reserved Rights

- VII.1.1. The IPA will not be liable to any Bidder or any other party for failure to execute the supplier contract. Nothing herein may be construed to bind the IPA unless and until the ICC has approved winning Bids for this procurement event, and the SPV Contract and Confirmation with a Bidder has been executed and is effective. Once effective, it is the SPV Contract and not the RFP Rules or any documents relating thereto that will govern the relationship between and the responsibilities of the parties.
- VII.1.2. The Procurement Administrator reserves the right to reject Proposals submitted in response to this RFP that are incomplete, or do not conform with the requirements of this RFP, or are submitted beyond the deadline for submission, or are submitted by a Bidder that tries to unduly influence in any way the evaluation process.